

Rule 26.1. Corporate Disclosure Statement

- (a) **Who Must File.** Any nongovernmental corporate party to a proceeding in a court of appeals must file a statement that identifies any parent corporation and any publicly held corporation that owns 10% or more of its stock or states that there is no such corporation.
- (b) **Time for Filing; Supplemental Filing.** A party must file the Rule 26.1(a) statement with the principal brief or upon filing a motion, response, petition, or answer in the court of appeals, whichever occurs first, unless a local rule requires earlier filing. Even if the statement has already been filed, the party's principal brief must include the statement before the table of contents. A party must supplement its statement whenever the information that must be disclosed under Rule 26.1(a) changes.
- (c) **Number of Copies.** If the Rule 26.1(a) statement is filed before the principal brief, or if a supplemental statement is filed, the party must file an original and 3 copies unless the court requires a different number by local rule or by order in a particular case.

Local Rule 26.1. Disclosure of Corporate Affiliations and Other Entities with a Direct Financial Interest in Litigation.

(a) Disclosure Requirements Applicable to Parties, Including Intervenors.

(1) Who Must File.

- (A) ***Civil, Agency, Bankruptcy, and Mandamus Cases.*** A party in a civil, agency, bankruptcy, or mandamus case, other than the United States or a party proceeding in forma pauperis, must file a disclosure statement, except that a state or local government is not required to file a disclosure statement in a case in which the opposing party is proceeding without counsel.
- (B) ***Criminal and Post-Conviction Cases.*** A corporate party in a criminal or post-conviction case must file a disclosure statement.

(2) Information to Be Disclosed by Parties, Including Intervenors.

- (A) ***Information Required by FRAP 26.1.*** A party must identify any parent corporation and any publicly held corporation that owns 10% or more of the party's stock, or state that there is no such corporation.
- (B) ***Information About Other Financial Interests.*** A party must identify any publicly held corporation, whether or not a party to the present litigation, that has a direct financial interest in the outcome of the litigation by reason of a franchise, lease, other profit sharing agreement, insurance, or indemnity agreement, or state that there is no such corporation.
- (C) ***Information About Other Publicly Held Legal Entities.*** Whenever required by FRAP 26.1 or this rule to disclose information about a corporation that has issued shares to the public, a party shall also disclose information about similarly situated master limited partnerships, real estate investment trusts, or other legal entities whose shares are publicly held or traded, or state that there are no such entities.
- (D) ***Information About Trade Association Members.*** A party trade association must identify any publicly held member whose stock or equity value could be affected

substantially by the outcome of the proceeding or whose claims the trade association is pursuing in a representative capacity, or state that there is no such member.

(b) Disclosure Requirements Applicable to Corporate Amicus Curiae.

(1) Who Must File. *If an amicus curiae is a corporation, the amicus curiae brief must include a disclosure statement.*

(2) Information to Be Disclosed by Corporate Amicus Curiae. *A corporate amicus curiae must disclose the same information that sections (a)(2)(A), (B) & (C) require parties to disclose.*

(c) Form. *The disclosure statement shall be on a form provided by the clerk. A negative statement is required if a filer has no disclosures to make.*

(d) Time of Filing. *A party's disclosure statement must be filed within 14 days of docketing of the appeal, unless earlier pleadings are submitted for the Court's consideration, in which case the disclosure statement shall be filed at that time.*

(e) Amendment. *Filers are required to amend their disclosure statements when necessary to maintain their current accuracy.*

Local Rule 26.1 amended September 28, 1994, December 1, 1998, and August 11, 2008.